

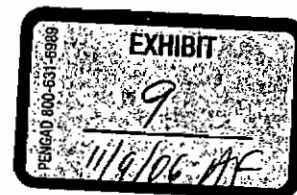
EXHIBIT A
Michael Stepski Conversation Record

CONVERSATION RECORD				Time: 1900 hrs	Date: 22MAY04
Type: Visit Telephone X Conference	Incoming Outgoing	Location of visit/conference USCG AIRSTA CAPE COD, MA			
Name & title of person(s) contacted [REDACTED]	Organization (office, dept, etc) F/V AVA CLAIRE (O.N. 547315) 42' FRP (sandwich const w/ balsa core) Black Hull w/ White Superstructure Power: CAT 0333; 210 Hp diesel engine			Telephone #: [REDACTED]	
Subject: F/V AVA CLAIRE collision with unknown vessel, resulting in total loss of F/V AVA CLAIRE on 22MAY04					

Summary:

Met with contact following subject incident. Contact was the owner/operator of the F/V AVA CLAIRE (O. N. 547315). Present for the interview was self and [REDACTED]

- Contact stated that vessel had been gill-netting for monk fish in Long Island Sound in approx. loran-c position 43605, 14760 [chart not available at time of interview for verification of position].
- Visibility was estimated to be approx. 100 yards. Seas and swells were calm.
- Vessel was monitoring VHF-FM channel 16 & 13.
- Vessel was displaying red over white mast head lights (signifying commercial fishing) and displaying red and green sidelights for a vessel underway.
- Vessel was not sounding a fog signal. No others vessels were heard.
- Vessel was monitoring only one contact on radar that appeared to maintaining a distance of approx. 3 miles [radar reported to have been set to six mile scale]. Radar contact was believed to be another fishing vessel.
- Gill-net gear was set on loran line 14760 and run to east (approx 20 nets each 300' long were set).
- At approx. 1100 vessel had completed retrieving first net on westward end of gear and was beginning the pick up second net all three crewmen on board vessel were on deck hauling gear.
- Previously noted radar contact was suddenly observed at close proximity on radar. Contact ran into the pilothouse to the control station and put vessel in gear. Observed visually for the first time a large ship bearing down on their position. Vessels throttles were put full ahead and crew on deck attempted to disconnect from gill-net gear.
- Operator escaped from pilothouse just before vessel was struck broad side ivo pilothouse.
- Vessel was cut in two by collision all three crewmen abandon vessel to water.
- Ship that struck vessel was apparently unaware they had collided with another vessel and continued course and speed.
- Contact believed other vessel to be several hundred feet long with blue hull color.
- Once in water contact had to dive under remaining portion of bow to retrieve survival suites.
- Life raft floated free and inflated. All three crewman entered liferaft
- Dog that had been onboard vessel and sleeping in fwd bow area was unable to be recovered.
- EPIRB was recovered and had been activated by saltwater.
- Various items of food and drink floated to the water's surface and were recovered to the life rafts.
- Crew remained in liferaft for 2-3 hours before CG helo arrived on scene.
- Contact stated that radar unit was Furuno brand and that he had just changed out the radar display unit [first trip with new unit], leaving the old array in tact on the mast. Contact stated that the radar had never been tuned professionally, but that it operated very well. Contacted stated he had been getting excellent returns of buoy and hi-flyers at end of fishing gear.
- Radar was not gyro stabilized and was in a "heading up" mode.
- Contact stated that mast of vessel was aluminum and extended approx. 10 feet above the top of the pilothouse.
- Contact stated that two of his fishing gear "hi-flyers" with radar reflectors were on deck. One was laying down and stowed atop the pilothouse and the other was extended approx. 8 - 10 feet above the aft deck.
- Contacted stated that he had worked in the commercial fishing industry his entire life. Primarily as an owner and operator of smaller commercial vessels.
- Contact did not have a CG operators license, but held a CT state operators permit.
- Vessel did not have CFVS decal, but that he had been working with MSO LI Sound, POC was [REDACTED] (civ).
- Contact stated that he had practiced drills aboard his vessel previously, but had not done so with current crew, because all were new.



- Contact stated that there was no drug use aboard his vessel.
- Contact stated that he allowed crewman, [REDACTED] to bring beer aboard for his own consumption during return trip to port. Contact was unsure as to drug use history of [REDACTED] but stated that he and crewmember [REDACTED] were drug free.
- Contact stated that [REDACTED] was reported to have drank several beers and some other form of alcohol while awaiting rescue in the life raft. Beer, soda, and other odds and ends had floated to the surface after the vessel sank.
- BAC of contact was [REDACTED] as registered on breath alcohol test conducted by trained personnel from CG Station Cape Cod.
- Contact was informed of his responsibility as a marine employer under 46 CFR 4.06 to have all personnel involved in a serious marine incident chemically tested for use of dangerous drugs. Arrangements for chemical testing at a collection site in New Bedford, MA were made by CWO [REDACTED]. Contact stated that he and his crew would stop at the site on their return trip to New London, CT.
- Contact was informed that a \$5,000 civil penalty would be issued to anyone who fails provide a sample or obstructs the chemical testing process.

Action Required:		
Name person documenting conversation [REDACTED]	Signature [REDACTED]	Date 22MAY04
Action Taken:		
Signature	Title	Date